

Ruppersberger  
Ryan (OH)  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Shuler

Sires  
Skelton  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Space  
Spratt  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (MS)  
Tierney  
Udall (CO)  
Udall (NM)  
Van Hollen

Velázquez  
Visclosky  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Wilson (OH)  
Woolsey  
Wu  
Wynn  
Yarmuth

## NAYS—199

Aderholt  
Akin  
Alexander  
Altmire  
Bachmann  
Bachus  
Baker  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Biggert  
Billray  
Bilirakis  
Blackburn  
Boehner  
Bonner  
Bono  
Boozman  
Boustany  
Brady (TX)  
Broun (GA)  
Brown (SC)  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Carney  
Carter  
Chabot  
Coble  
Cole (OK)  
Conaway  
Cubin  
Culberson  
Davis (KY)  
Davis, David  
Davis, Tom  
Deal (GA)  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Drake  
Dreier  
Duncan  
Ehlers  
Emerson  
English (PA)  
Everett  
Fallin  
Feeney  
Ferguson  
Flake  
Forbes  
Fortenberry  
Fossella  
Foxx  
Franks (AZ)  
Frelinghuysen  
Gallegly

Garrett (NJ)  
Gerlach  
Gilchrest  
Gillmor  
Gingrey  
Gohmert  
Goode  
Goodlatte  
Granger  
Graves  
Hall (TX)  
Hastert  
Heller  
Hensarling  
Herger  
Hobson  
Hoekstra  
Hulshof  
Hunter  
Inglis (SC)  
Issa  
Jindal  
Jones (NC)  
Jordan  
Kanjorski  
Keller  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
Lamborn  
Latham  
LaTourette  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marshall  
McCarthy (CA)  
McCarthy (NY)  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy, Tim  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Pascarell

## NOT VOTING—17

Bishop (UT)  
Blunt  
Clarke  
Crenshaw  
Davis, Jo Ann  
Gordon

Hastings (WA)  
Hayes  
Jefferson  
Johnson, Sam  
LaHood  
Lewis (CA)  
Pearce  
Pence  
Peterson (MN)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Porter  
Price (GA)  
Pryce (OH)  
Putnam  
Radanovich  
Ramstad  
Regula  
Rehberg  
Reichert  
Renzi  
Reynolds  
Rogers (AL)  
Issa  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Roskam  
Royce  
Ryan (WI)  
Sali  
Saxton  
Schmidt  
Sensenbrenner  
Sessions  
Shadegg  
Shays  
Shimkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Stupak  
Sullivan  
Tancredo  
Terry  
Thompson (CA)  
Thornberry  
Tiahrt  
Tiberi  
Turner  
Upton  
Walberg  
Walden (OR)  
Walsh (NY)  
Wamp  
Weldon (FL)  
Weller  
Westmoreland  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (AK)  
Young (FL)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain on this vote.

□ 1839

So the Journal was approved.  
The result of the vote was announced as above recorded.

## QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. BOEHNER. Madam Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore (Mrs. TAUSCHER). The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 611

Whereas on November 8, 2006, Speaker-Elect Nancy Pelosi said “we will make this the most honest, ethical and open Congress in history.”;

Whereas on November 16, 2006, Speaker-Elect Nancy Pelosi said “This leadership team will create the most honest, most open, and most ethical Congress in history.”;

Whereas on January 4, 2007, Majority Leader Steny Hoyer said “As we open this new chapter in American history—an era in which we will seek to elevate results over rhetoric and put progress before partisanship—we will affirm our commitment to transparency, accountability and civility, which should be the hallmarks of this great institution.”;

Whereas on January 4, 2007, Majority Leader Steny Hoyer said “the Members of this House will ensure the integrity of this institution when we conduct ourselves with integrity and hold accountable those who fail to abide by these rules and the highest ethical standards.”;

Whereas on December 8, 2006, Majority Whip-Elect James Clyburn said “Democrats will exercise better leadership in the new Congress and work to raise the standard of ethics in this body.”;

Whereas on August 1, 2007, the Majority Leader Steny Hoyer said “What is not fair, from our perspective, is to simply disallow the House to proceed to do its business, to have its disagreements, to make its votes, to express its will”;

Whereas the Speaker, as the presiding officer, is supposed to be the fair and impartial arbiter of the proceedings of the House, held to the highest ethical standards in deciding the various questions as they arise with impartiality and courtesy toward all Members, regardless of party affiliation;

Whereas the Members, as duly elected under Article I, section 2 of the Constitution of the United States, represent the people of the United States by casting their votes in the U.S. House of Representatives;

Whereas the Clerk of the House has the specific responsibility of accurately taking and tallying votes of the Members and preserving the records thereof;

Whereas on the evening of August 2, 2007, the House had under consideration H.R. 3161, a bill making appropriations for the Department of Agriculture and Related Agencies;

Whereas following completion of general debate and the reading of the bill for amendment, the gentleman from California (Mr. Lewis) offered a motion to recommit the bill to the Committee on Appropriations with instructions that prohibited any funds in the bill from being used to employ or to provide rental housing assistance to an illegal alien not authorized to receive such assistance under the Immigration and Nationality Act;

Whereas Representative Lewis timely requested the yeas and nays, which once ordered were recorded by electronic device;

Whereas shortly following the expiration of time allotted for the recorded vote, the Chair gavelled the vote closed and announced that the motion had failed by a vote of 214 yeas to 214 nays, while the tally clerk was still processing additional votes through the electronic voting system;

Whereas during said time period, the Majority Leader stated to the Parliamentarian of the House, “We control, not the Parliamentarians.”

Whereas the Chair announced the results of the aforementioned vote after reading the totals from the electronic board to the Chair’s right without the benefit of the written tally customarily provided by the tally clerks;

Whereas a video recording of the proceedings produced by the Office of the Chief Administrative Officer confirms that, while closing the vote, the Chair banged the gavel and spoke over the voice of the House Reading Clerk seated immediately in front of the Speaker’s rostrum, who can clearly be heard attempting to record the vote of another Member;

Whereas contrary to the vote total announced by the Chair, said electronic board, visible to all Members in the Chamber, indicated a final tally of 215 yeas and 213 nays;

Whereas the Majority Leader directed the Chair to reopen the vote, making it possible for Members to change their vote, and thereby altering the outcome;

Whereas several minutes later the Chair again closed the vote and announced that the motion had failed on a vote 212 yeas and 216 nays;

Whereas the Minority Leader immediately directed his staff to gather and review all available records regarding this incident; and

Whereas in the course of such review, the staff discovered that the electronic voting records related to this roll call vote were missing from the electronic voting system and upon inspecting the Clerk’s website, found no information regarding the disposition of the motion to recommit contrary to the long standing customary practice of that office: Now therefore be it

(1) Resolved, That—

The Officers of the House of Representatives are immediately directed to preserve all records, documents, recordings, electronic transmissions, or other material, regardless of form, related to the voting irregularities of August 2, 2007.

(2) there is hereby established a select committee to investigate the voting irregularities of August 2, 2007 (hereinafter referred to as the “select committee”). The select committee shall be comprised of 6 Members, of which 3 Members shall be appointed by the Speaker and 3 by the Minority Leader. The select committee shall—

(A) investigate the circumstances surrounding the record vote requested by the gentleman from California (Mr. Lewis) on the motion to recommit to H.R. 3161, including the Chair’s ruling over the objections of the Parliamentarian;

(B) make an interim report to the House not later than September 30, 2007 and a final report not later than September 15, 2008—

(i) regarding the actions of any Members, officers, or employees of the House engaged in the disenfranchisement of Members in voting on the question; and

(ii) recommending changes to the rules and procedures of the House of Representatives necessary to protect the voting rights of constitutionally elected Members chosen by the people of the United States of America.